

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

ESTATE OF STEPHEN PAUL BOOHER;)	
GLADYS F. BOOHER, Administrator,)	Federal Case No. 4:17-cv-119
AND GLADYS F. BOOHER, Individually,)	
)	
Plaintiffs,)	
)	JOINT STATUS REPORT
vs.)	
)	
STUART R. GLEN,)	
)	
Defendant.)	

COME NOW the parties hereto, in and through their respective counsel, and for their filing as styled above state to the Court as follows:

1. On October 15, 2018, Magistrate Judge Stephen B. Jackson, Jr. entered a “Text Order For Joint Status Report” in the above-captioned matter.
2. In his order, Judge Jackson provided that the joint report should be filed no later than January 7, 2019.
3. The undersigned parties now jointly report that since the filing of the Joint Status Report on August 8, 2018, the following has occurred in the state court action known in Polk County Iowa District Court as Case No. CVCV054654:
 - August 11, 2018: Judge Vaudt entered her order denying Defendant Boohers’ Motion for Summary Judgment and sustaining Plaintiff T.H.E. Insurance Company’s Motion for Summary Judgment which was filed on February 9, 2018, and the Amended Motion for Summary Judgment filed on February 12, 2018. The effect of her ruling on both motions was to deny any obligation of the carrier to defend and indemnify Defendant Stuart r. Glen in the pending case;

- That Order was thereafter appealed in the Iowa Supreme Court on September 6, 2018, by Defendants Booher in the state court action;
 - All proof briefs and the joint appendix have been filed in that State court appeal (known as Case No. 18-1550). That matter is progressing on appeal according to normal state appellate court deadlines;
4. The state court appellate ruling will assist the parties in determining what course of action will be undertaken in this federal case proceeding.

Dated: January 7, 2019.

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**ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon each of the attorneys of record for all parties to the above-entitled cause by CM/ECF and by email transmission at such attorney's email address as disclosed by the pleadings of record herein on the 7th day of January 2019.

By: ☐ U.S. Mail ☐ Facsimile
☐ Hand Delivered ☐ Overnight
☒ CM/ECF ☒ Email

Signature /s/ Lori K. Techau